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HOUSE BILL NO. 2310

Offered January 20, 2021

A BILL to amend and reenact § 18.2-308.02 of the Code of Virginia, relating to concealed handgun permits; demonstration of competence; emergency.

Patrons—Runion and Wilt

Referred to Committee on Public Safety

Be it enacted by the General Assembly of Virginia:**1. That § 18.2-308.02 of the Code of Virginia is amended and reenacted as follows:****§ 18.2-308.02. Application for a concealed handgun permit; Virginia resident or domiciliary.**

A. Any person 21 years of age or older may apply in writing to the clerk of the circuit court of the county or city in which he resides, or if he is a member of the United States Armed Forces and stationed outside the Commonwealth, the county or city in which he is domiciled, for a five-year permit to carry a concealed handgun. There shall be no requirement regarding the length of time an applicant has been a resident or domiciliary of the county or city. The application shall be on a form prescribed by the Department of State Police, in consultation with the Supreme Court, requiring only that information necessary to determine eligibility for the permit. Additionally, the application shall request but not require that the applicant provide an email or other electronic address where a notice of permit expiration can be sent pursuant to subsection C of § 18.2-308.010. The applicant shall present one valid form of photo identification issued by a governmental agency of the Commonwealth or by the U.S. Department of Defense or U.S. State Department (passport). No information or documentation other than that which is allowed on the application in accordance with this section may be requested or required by the clerk or the court.

B. The court shall require proof that the applicant has demonstrated competence with a handgun in person and the applicant may demonstrate such competence by one of the following, but no applicant shall be required to submit to any additional demonstration of competence, nor shall any proof of demonstrated competence expire:

1. Completing any hunter education or hunter safety course approved by the Department of Wildlife Resources or a similar agency of another state;

2. Completing any National Rifle Association firearms safety or training course;

3. Completing any firearms safety or training course or class available to the general public offered by a law-enforcement agency, institution of higher education, or private or public institution or organization or firearms training school utilizing instructors certified by the National Rifle Association or the Department of Criminal Justice Services;

4. Completing any law-enforcement firearms safety or training course or class offered for security guards, investigators, special deputies, or any division or subdivision of law enforcement or security enforcement;

5. Presenting evidence of equivalent experience with a firearm through participation in organized shooting competition or current military service or proof of an honorable discharge from any branch of the armed services;

6. Obtaining or previously having held a license to carry a firearm in the Commonwealth or a locality thereof, unless such license has been revoked for cause;

7. Completing any in-person firearms training or safety course or class conducted by a state-certified or National Rifle Association-certified firearms instructor;

8. Completing any governmental police agency firearms training course and qualifying to carry a firearm in the course of normal police duties; or

9. Completing any other firearms training that the court deems adequate.

A photocopy of a certificate of completion of any of the courses or classes; an affidavit from the instructor, school, club, organization, or group that conducted or taught such course or class attesting to the completion of the course or class by the applicant; or a copy of any document that shows completion of the course or class or evidences participation in firearms competition shall constitute evidence of qualification under this subsection. *Any applicant who completed an online course to demonstrate competence prior to January 1, 2021, but was prohibited from appearing in person at a circuit court clerk's office because of restrictions due to COVID-19 shall be able to apply for a concealed handgun permit through April 30, 2021.*

C. The making of a materially false statement in an application under this article shall constitute perjury, punishable as provided in § 18.2-434.

59 D. The clerk of court shall withhold from public disclosure the applicant's name and any other
60 information contained in a permit application or any order issuing a concealed handgun permit, except
61 that such information shall not be withheld from any law-enforcement officer acting in the performance
62 of his official duties or from the applicant with respect to his own information. The prohibition on
63 public disclosure of information under this subsection shall not apply to any reference to the issuance of
64 a concealed handgun permit in any order book before July 1, 2008; however, any other concealed
65 handgun records maintained by the clerk shall be withheld from public disclosure.

66 E. An application is deemed complete when all information required to be furnished by the applicant,
67 including the fee for a concealed handgun permit as set forth in § 18.2-308.03, is delivered to and
68 received by the clerk of court before or concomitant with the conduct of a state or national criminal
69 history records check.

70 F. For purposes of this section, a member of the United States Armed Forces is domiciled in the
71 county or city where such member claims his home of record with the United States Armed Forces.

72 **2. That an emergency exists and this act is in force from its passage.**